

STEVEN T. VOILES

(Name)

CSATF/STATE PRISON COCORAN

(Address)

P.O. BOX 5244

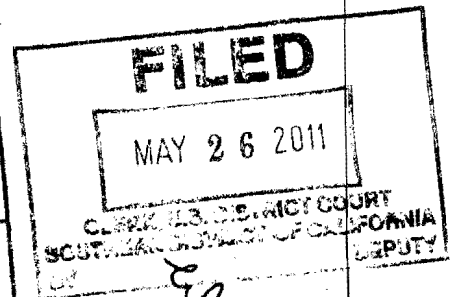
(City, State, Zip)

CORCORAN, CA. 93212-5244

(CDC Inmate No.)

AA5875

2254	1983
FILING FEE PAID	
Yes	No
IFP MOTION FILED	
Yes	No
COPIES SENT TO	
Court	ProSe



United States District Court
Southern District of California

STEVEN T. VOILES AA5875

(Enter full name of plaintiff in this action.)

11 ON 1166 JLS BGS

Plaintiff,

Civil Case No. _____

(To be supplied by Court Clerk)

v.**JAMES A. REAVIS, PSY.D**
A PSYCHOLOGICAL CORPORATION**LIC :PSY17404****AND****IAN ST. JOHN****DEPUTY PROBATION OFFICER**Complaint Under the
Civil Rights Act
42 U.S.C. § 1983

(Enter full name of each defendant in this action.)

Defendant(s).

A. Jurisdiction

Jurisdiction is invoked pursuant to 28 U.S.C. § 1343(a)(3) and 42 U.S.C. § 1983. If you wish to assert jurisdiction under different or additional authority, list them below.

The Federal Americans with Disabilities act of 1990**Title II and Title III Section 504 of the Rehabilitation Act of 1973****28 U.S.C. § 12183(a) § 12188, CAL.CIV.CODE § 54.3****B. Parties**1. Plaintiff: This complaint alleges that the civil rights of Plaintiff,**STEVEN T. VOILES**

(print Plaintiff's name)

STEVEN T. VOILES, who presently resides at
CSATF/STATE PRISON CORCORAN, P.O. BOX 5244
CORCORAN, CA. 93212-5244

(mailing address or place of confinement)

, were violated by the actions

of the below named individuals. The actions were directed against Plaintiff at

964 FIFTH AVENUE STE. 200
SAN DIEGO, CA. 92101

(institution/place where violation occurred)

on (dates) **01-01-09 to 06-29-09**, and

(Count 1)

(Count 2)

(Count 3)

Defendants: (Attach same information on additional pages if you are naming more than 4 defendants.)

JAMES A. REAVIS, PSY.D.
A PSYCHOLOGICAL CORPORATION
LIG : PSY17404

Defendant (name) **Psychologist, Private and** resides in **964 FIFTH AVENUE STE. 200**
County of San Diego (County of residence) **SAN DIEGO, CA. 92101**
and is employed as a **County of San Diego** . This defendant is sued in

(defendant's position/title (if any))
his/her ☒ individual ☒ official capacity. (Check one or both.) Explain how this defendant was acting

under color of law: **Discrimination, Retaliation, Threats, Intimidation, Interference**
Conspiracy, Program accessibility, Title II and Title III Violations Section 504
of the Rehabilitation Act of 1973, California Disabled Act.

Defendant **IAN ST. JOHN**

COURTHOUSE, 250 EAST MAIN ST. 8th FLOOR
resides in **EL CAJON, CA. 92020**

(name) **COUNTY OF SAN DIEGO** (County of residence)
and is employed as a **DEPUTY PROBATION OFFICER** . This defendant is sued in

(defendant's position/title (if any))
his/her ☒ individual ☒ official capacity. (Check one or both.) Explain how this defendant was acting

under color of law: **Discrimination, Retaliation, Threats, Intimidation, Interference,**
Conspiracy, Program accessibility, Title II and Title III Violations Section 504
of the Rehabilitation Act of 1973, California Disabled Act.

Defendant

resides in

(name) (County of residence)
and is employed as a . This defendant is sued in

(defendant's position/title (if any))
his/her ☐ individual ☐ official capacity. (Check one or both.) Explain how this defendant was acting
under color of law:

Defendant

resides in

(name) (County of residence)
and is employed as a . This defendant is sued in

(defendant's position/title (if any))
his/her ☐ individual ☐ official capacity. (Check one or both.) Explain how this defendant was acting
under color of law:

C. Causes of Action (You may attach additional pages alleging other causes of action and the facts supporting them if necessary.)

Count 1: The following civil right has been violated: **The Americans with Disabilities Act (ADA) of 1990**

(E.g., right to medical care, access to courts,

due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

(In reference to Ian St. John)

Supporting Facts: [Include all facts you consider important to Count 1. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by name, did to violate the right alleged in Count 1.]

I am a qualified individual with a disability, protected by Title II and III of the ADA.

I am a person with disabilities, as mobility impaired, I use a cane and sometimes a motorized wheelchair, I am also a diabetic and have heart disease.

I have a permanent disabled parking placard due to the lack of ability to walk distances.

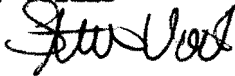
(ST. JOHN) was my probation officer assigned to me approx. December 10th 2009. It was clear to, that he disliked me from my first meeting with him. He came to my home to search, he cuffed me from behind. I politely asked him if he could cuff me from behind, due to my disability. He said "no", so I inquired if I brought a doctors note, would that help, and he said "yes". The next week I met with him in his office, I had a doctors noting, asking him not to cuff me from behind and he was not happy. He asked me what I did for a living, I told him, I am a retired Aerospace test engineer and I worked for 25 years with Defense Contractors. He told me, if I broke any rules, too many small ones or any major ones, I would find myself in prison. He said, I would have to attend counseling once a week with a (JAMES A. REAVIS PH.D.). After my first visit with (REAVIS) on January 3rd 2009, I found out his facility was not ADA compliant, no parking and no disabled rest-room facilities. I was extremely intimidated by (ST. JOHN) and (REAVIS), due to the fact that he could violate me whenever he wanted, I was (SCARED OF BOTH MEN). I told (ST. JOHN) about my disabilities and that I really needed a ADA compliant facility to comply with my probation requirements and Dr. Reavis facility has no parking. St. Johns response was (I DON'T CARE!), that's where you are going. He was upset. So. I did what I was told, this went on back and forth for the next 24 weeks. Each month, I asked St. John to send me to a program that was accessable to me. He would get angry and say, (REAVIS) would have to make that decision. I also informed him of my intention to sue (REAVIS). He said, (I DON'T CARE!), and that he was clearly in violation of ADA law also. By not sending me to a accessible facility. It was (ST. JOHN'S) duty to ensure Reavis was in compliance with Title III of the ADA and anyone he contracts with are carried out in accordance with Title II. He did not, in discrimination against me as a officer of the court, St. John is also guilty of nonfeasance. He made no attempt to assist me in a reasonable accommodation, causing me to suffer great "physical pain and emotional distress, repeatedly". (ST. JOHN) DID NOT BELIEVE I was in fact disabled, as he requested me to sign releases for my medical records from both my Workers Comp. doctor and my primary care doctor. I believe this would fall under a (UNNECESSARY INQUIRIES), (ST. JOHN) conspired with (REAVIS) by arresting me, which is illegally retaliation because he was in electronic contact with (REAVIS) by email and (REAVIS) would explain to (ST. JOHN), HOW I would complain about being in pain and my lack of being involved in group discussion. I had to take pain medication from the walk to be able to sit for 1.5 hours. I only asked that (ST. JOHN) please assist me with access, let me go to an alternate facility like (LARRY CORRIGAN), who has the same counse ling. As I called Larry Corrigan to verify that his program would in fact comply

with the requirements, he told me "yes". This was some sort of game for these men, but discrimination, I do not think is a game. For 6 months of physical and emotional pain and suffering.

(IAN ST. JOHN)

Discrimination against a disabled person. Failure to provide reasonable accommodation for people with disabilities. Failed to make facilities available through alternative methods. I suffered great physical pain and emotional distress from his actions. I firmly believe (IAN ST. JOHN) knew what Reavis was doing and that is why it is also a criminal action of conspiracy and nonfeasance.

STEVEN VOILES



04-15-2011

Count 2: The following civil right has been violated: **The Americans with Disabilities Act (ADA) of 1990** (E.g., right to medical care, access to courts,

due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

(In reference to James A. Reavis)

Supporting Facts: [Include all facts you consider important to Count 2. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by name, did to violate the right alleged in Count 2.]

I am a qualified individual with a disability protected by Title II ^{AND III} of the ADA.

I am a person with disabilities, as mobility impaired, I use a cane and sometimes a motorized wheelchair, I am also a diabetic and have heart disease.

I have a permanent disabled parking placecard, due to the lack of ability to walk distances.

I was directed to (JAMES A REAVIS) for court ordered counseling by probation officer (IAN ST. JOHN). I want to be clear on the "court ordered", and required to not be late and no missed meetings. (REAVIS) reports directly to (ST. JOHN) by electronic mail each week.

I started seeing (REAVIS) on or about January 3rd 2009. His office is located at 964 Fifth Avenue, suite 200. There was no disabled parking within a reasonable distance. I had to drive around for approx. 10¹⁰⁴⁸ minutes to find parking close enough, so I could make the walk. I met Reavis and inquired about parking, as he did not seem to care, "just what's on the street" was Reavis' response. I informed him about my disabilities and my limitations in regards to walking distances and if he could not provide accommodations, I would need to find other counseling. He told me, that would be up to my probation officer. I also needed to use the bathroom, he gave me a key. I went to the bathroom, on the left, there was one or two stand up urinal's, straight ahead, there was 2 to 3 sit down stalls with an 8 inch step approx. one to two feet before the stalls and no ADA standard accessible stall. Not even a alternate accessible stall. I need at least the minimum, a stall equipped with grab bars. I informed (REAVIS) that this building did not have the ADA accommodations I needed. He said, "not my building, not my problem and I don't care, nothing but complaints (Mr. Voiles), lets focus on counseling, not your complaints". (REAVIS) was extremely intimidating. I did inform (REAVIS) that it was in fact his responsibility. He then threatened me with (I WILL CALL YOUR PROBATION OFFICER AND TELL HIM THAT YOU ARE NOT PARTICIPATING IN COUNSELING). This is a major violation of probation and I can have your probation revoked. I had no choice but to comply for now and contact (ST. JOHN), over the next 6 months, Reavis would make my disabilities a topic of group discussion. I was in severe physical pain from the long walk and my lower back pain increased to a (10), sometimes requiring me to take pain medication in order to sit for the 1.5 hour session. During the entire 24 weeks, I continued to ask for accommodations from (REAVIS), please allow me to attend alternate accommodations at a facility with ADA accommodations. (LARRY CORRIGAN) in Claremont offered the same services and had ADA accommodations and it was closer to my home. (REAVIS) said, "I don't care". I heard this at least 20 times, before I finally contacted a law firm on or about June 25th, I informed (REAVIS) of my intent to sue several times. (REAVIS) simply stated, that he would contact my probation officer and tell him, I was not in compliance. He did finally do it on June 28th. I was arrested on July 3rd 2009 by St. John, for failure to participate in counseling.

(JAMES A REAVIS:)

Discrimination against a disabled person, (I DON'T CARE), he said over and over again. Failure to provide reasonable accommodation for people with

~~Count 3: The following civil right has been violated:~~

(E.g., right to medical care, access to courts,

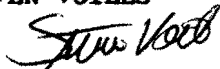
disabilities. He denied full and equal "enjoyment of services, facilities, privileges, advantages or accommodations".

Reavis failed to remove barriers.

Failed to make facilities available through alternative methods.

I suffered great "physical pain and emotional distress" from his actions, again for a total of 24 weeks, due to Reavis' failure to act. I paid (REAVIS) \$600.00 + \$60.00 a session x15 and \$40.00 x 9 to total \$1,860.00. (REAVIS) made direct threats, intimidation he knew and understood the nature of major violation of conditions of probation. I asked Reavis every week for accommodation and complained of the pain he was causing me, (HE DID NOT CARE), he has discriminated in the past, informing me, he has ^{HAD} clients in wheel chairs and they had no difficulty. I find this disturbing. Reavis does not care about federal ADA laws and is cruel in bringing up my disabilities in front of 12 people, I hardly knew, this was extremely embarrassing to me. He conspired with Ian (ST. JOHN), making me go back and forth and try to get accommodation. I believe this to be a Title II and III, due to the fact a county of San Diego probation officer was directly involved.

STEVEN VOILES



04-15-2011

due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.)

Supporting Facts: [Include all facts you consider important to Count 3. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, *by name*, did to violate the right alleged in Count 3.]

D. Previous Lawsuits and Administrative Relief

1. Have you filed other lawsuits in state or federal courts dealing with the same or similar facts involved in this case? ☒ Yes ☐ No.

If your answer is "Yes", describe each suit in the space below. [If more than one, attach additional pages providing the same information as below.]

(a) Parties to the previous lawsuit:

Plaintiffs: **STEVEN T. VOILES**

Defendants: **JAMES A REAVIS AND IAN ST. JOHN**

(b) Name of the court and docket number: **UNKNOWN**

(c) Disposition: [For example, was the case dismissed, appealed, or still pending?] **FAILED TO STATE**

A CLAIM

(d) Issues raised:

ADA ACCESS ISSUES. I was ripped off by a prisoner who I paid money to assist me with it. He in fact did not.

(e) Approximate date case was filed: **May 2010**

(f) Approximate date of disposition: **June 2010**

2. Have you previously sought and exhausted all forms of informal or formal relief from the proper administrative officials regarding the acts alleged in Part C above? [E.g., CDC Inmate/Parolee Appeal Form 602, etc.] ? ☐ Yes ☒ No. **N/A**

If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No", briefly explain why administrative relief was not sought. **N/A**

~~**F. REQUEST FOR RELIEF**~~

E. Request for Relief

Plaintiff requests that this Court grant the following relief:

1. An injunction preventing defendant(s):
California Disabled Persons Act.CAL.CIV.CODE 54(c)
(\$1,000.00) x 24=\$24,000.00
Americans with Disabilities Act (ADA) of 1990 308(a)42 U.S.C.A 12188(a)
(\$4,000.00) x 24= \$96,000.00 Injunctive relief Approx. ~~\$1,860.00~~
2. Damages in the sum of \$ **To be determined by the court**
3. Punitive damages in the sum of \$ **\$20,000.00**
4. Other: **Filing and Mics. costs \$350.00⁺ fees paid to Reavis \$1860.00**

F. Demand for Jury Trial

Plaintiff demands a trial by ☒ Jury ☐ Court. (Choose one.)

G. Consent to Magistrate Judge Jurisdiction

In order to insure the just, speedy and inexpensive determination of Section 1983 Prisoner cases filed in this district, the Court has adopted a case assignment involving direct assignment of these cases to magistrate judges to conduct all proceedings including jury or bench trial and the entry of final judgment on consent of all the parties under 28 U.S.C. § 636(c), thus waiving the right to proceed before a district judge. The parties are free to withhold consent without adverse substantive consequences.

The Court encourages parties to utilize this efficient and expeditious program for case resolution due to the trial judge quality of the magistrate judges and to maximize access to the court system in a district where the criminal case loads severely limits the availability of the district judges for trial of civil cases. Consent to a magistrate judge will likely result in an earlier trial date. If you request that a district judge be designated to decide dispositive motions and try your case, a magistrate judge will nevertheless hear and decide all non-dispositive motions and will hear and issue a recommendation to the district judge as to all dispositive motions.

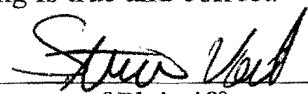
You may consent to have a magistrate judge conduct any and all further proceedings in this case, including trial, and the entry of final judgment by indicating your consent below.

Choose only one of the following:

- | | | |
|--|----|--|
| <input type="checkbox"/> Plaintiff consents to magistrate judge jurisdiction as set forth above. | OR | <input checked="" type="checkbox"/> Plaintiff requests that a district judge be designated to decide dispositive matters and trial in this case. |
|--|----|--|

I declare under the penalty of perjury that the foregoing is true and correct.

04-15-2011
Date


Signature of Plaintiff

I (a) PLAINTIFFS

DEFENDANTS

71 ON 1166 JLS B65
Reavis et al

2254	1983
FILING FEE PAID	
Yes	No
IF MOTION FILED	
Yes	No
COPIES SENT TO	
Court	ProSe

Steven Voiles
PO Box 5244
Corcoran, CA 93212
AA-5875

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX)
(For Diversity Cases Only) FOR PLAINTIFF AND ONE BOX FOR DEFENDANT

	PT	DEF		PT	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

42 U.S.C. 1983

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> Marine <input type="checkbox"/> Miller Act <input type="checkbox"/> Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury-Medical Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 RR & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. <input type="checkbox"/> Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (13958) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(e)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reappointment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Tort to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input checked="" type="checkbox"/> 550 Civil Rights			

☒ 1 Original Proceeding ☐ 2 Removal from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

DEMAND \$

Check YES only if demanded in complaint:

JURY DEMAND: ☐ YES ☐ NO

Docket Number

~~SIGNATURE OF ATTORNEY OF RECORD~~

CR

OF RECORD